

**DECLARATION AND POWER OF ATTORNEY -- PATENT APPLICATION**

As below named inventor, I hereby declare that I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought in the application entitled: BED SIDERAILS HAVING FLEXIBLE PORTIONS the specification of which

(check one) \_\_\_\_\_ is attached hereto  
☒ was filed on March 23, 2001 as  
 United States Application Serial No. 09/815,697 or  
 PCT International Application No. \_\_\_\_\_  
 and was amended on \_\_\_\_\_ (*if applicable*).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet attached hereto.
60/191,924	03/24/2000	

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (If applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

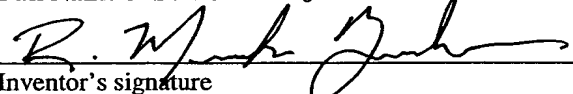
As a named inventor, I hereby appoint James A. Coles, Reg. No. 28,291; Timothy E. Niednagel, Reg. No. 33,266; Douglas A. Yerkeson, Reg. No. 39,882; R. Trevor Carter, Reg. No. 40,549; Jeffery B. Huter, Reg. No. 41,086; Norman J. Hedges, Reg. No. 44,151; Christine E. Mayewski Orich, Reg. No. 44,987; Gerald W. Roberts, Reg. No. 45,046; and Paul E. Franz, Reg. No. 45,910; as attorneys of record, and William S. Meyers, Reg. No. 42,884 as agent of record, with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

Intellectual Property Group  
Bose McKinney & Evans LLP  
135 North Pennsylvania Street, Suite 2700  
Indianapolis, Indiana 46204  
Telephone: (317) 684-5000  
Facsimile: (317) 684-5173

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Robert Mark Zerhusen

**Full Name of Sole or First Joint Inventor**

  
Inventor's signature

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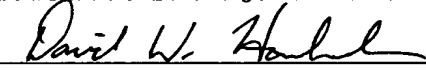
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Country of Citizenship

6/15/01  
Date

David W. Hornbach

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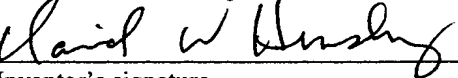
U.S.

Country of Citizenship

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Date

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Date

☒ Additional inventors are similarly identified on attached sheet

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*6/26/01*

Date

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Country of Citizenship

*6-18-01*

Date

U.S.

Country of Citizenship

*June 26 2001*

Date

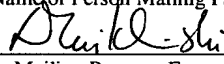
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**BOSE McKINNEY & EVANS LLP**

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PATENT APPLICATION

*IN THE UNITED STATES PATENT AND TRADEMARK OFFICE*

<i>Group:</i>	Unknown	}	
		}	
<i>Atty. Docket:</i>	8266-1126	}	<u>Certificate Under 37 C.F.R. 1.10</u>
		}	
<i>Applicants:</i>	Zerhusen et al.	}	Express Mail Label No.: <u>EV 322399778 US</u>
		}	
<i>Invention:</i>	BED SIDERAILS HAVING FLEXIBLE PORTIONS	}	Date of Deposit: <u>August 20, 2003</u>
		}	
<i>Serial No.:</i>	Unknown	}	I hereby certify that this paper or fee is being deposited with the United States Postal Service' "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
		}	
<i>Filed:</i>	Herewith	}	<u>D. Cwiklinski</u>
		}	Typed or Printed Name of Person Mailing Paper or Fee
<i>Examiner:</i>	Unknown	}	
		}	Signature of Person Mailing Paper or Fee

ASSOCIATE POWER OF ATTORNEY

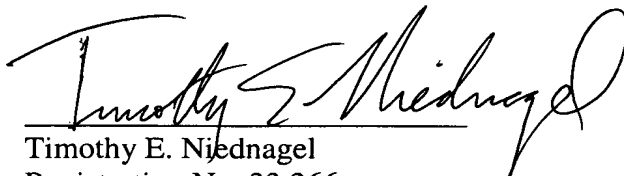
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Robert M. Ward, Reg. No. 26,517; Douglas A. Yerkeson, Reg. No. 39,882; Robert D. Null, Reg. No. 40,746; Ryan C. Barker, Reg. No. 47,405; William S. Meyers, Reg. No. 42,884; and Charles W. Arnett, Reg. No. 51,414 are hereby appointed associate powers of attorney in connection with the above-referenced matter.

Respectfully submitted,

BOSE McKINNEY & EVANS

  
Timothy E. Njiednagel  
Registration No. 33,266